



DISABILITY AND COMMUNICATION ACCESS BOARD

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December 13, 2002

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Room TW-A325
Washington, D.C. 20554

Regarding: CC Docket No. 98-67, File No: TRS-22-02, Hawaii Public Utilities
Commission

Dear Ms. Dortch,

These comments are being filed by the Disability and Communication Access Board (DCAB) in regard to CC Docket No. 98-67, File No: TRS-22-02, Hawaii Public Utilities Commission. The DCAB is a State agency charged by the Legislature with the responsibility to:

HRS-348F-3 (5) Serve as public advocate of persons with disabilities by providing advice and recommendations on matters relating to access for persons with disabilities, with emphasis on legislative matters, administrative rules, policies, and procedures of the state and county governments;

(6) Review and assess the problems and needs relating to access for persons with disabilities in the State in order to provide recommendations in the improvement of laws and services;

(7) Serve as the designated state agency to coordinate the efforts of the State to comply with the requirements of the Americans with Disabilities Act for access to services, employment, telecommunications, and facility and site design;

(8) Provide technical assistance and guidance to, but not limited to, state and county entities in order to meet the requirements of state, federal, and county laws providing for access for persons with disabilities through public education programs and other voluntary compliance efforts; [HRS-Section 348F-3]

The DCAB is concerned that the Hawaii Public Utilities Commission's Telecommunication Relay Services State Certification Renewal Application does not represent the best interests of the telecommunication relay services (TRS) users in Hawaii.

We have several concerns:

1. The Public Utilities Commission (PUC) has not conducted a review of the availability of qualified relay service providers since June of 1992. There has been significant change in a) relay service technology, b) organizations and companies providing relay services and c) ownership and operation of the TRS provider in Hawaii since 1992. Failure to conduct a new review and an open competitive bidding process fails to ensure that the relay services are the best available and even fails to ensure that the provider is qualified.

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2. Hawaii rate payers pay one of the highest surcharges in the nation, \$0.17 per access line for **TRS** services. However, the provider, who collects and retains the entire surcharge amount, does not provide the same level of services provided by many states with significantly lower surcharges. Specifically, the Hawaii TRS provider does not provide either a Telecommunications Equipment Distribution Program (TEDP) nor does the provider offer Video Relay Services (VRS) which are provided by many states with lower surcharges than Hawaii. No open and public accounting of the funds collected by the TRS provider has been made. The DCAB does not understand how the provider can collect one of the highest tariffs in the nation and provide only minimal services.
3. The DCAB is aware of complaints filed with our office, with the PUC and with Verizon which are not reported in the PUC's filing with the FCC. One glaring example is Robert Segalman's ongoing frustration with inadequate Speech to Speech services which was eventually reported on the front page of the "Honolulu Star Bulletin." If some complaints we are aware of are not reported how many other complaints also go unreported? Complaint contact information for Verizon posted on the FCC's web site is out of date. The phone numbers and email address posted for Janet Karrenbrock at GTE Network Services are all non-operable and have been so for at least one year. Anecdotal evidence from the community suggests significant dissatisfaction with current TRS services. The DCAB is concerned that the PUC has recertified the TRS provider based on an inadequate and incomplete accounting and understanding of consumer complaints.
4. The DCAB has strongly recommended that the PUC establish a consumer based advisory council reporting directly to the PUC on TRS quality of service issues. The PUC has declined to do so. The PUC wrote to a consumer, in response to complaint, on September 4, 2002, "Although there is no consumer-based advisory group for TRS in the State, the Disability and Communication Access Board (DCAB) is the state agency whose primary functions (sic) among other things, is to serve as a public advocate of persons with disabilities." The PUC has also chosen to ignore the recommendations made in writing by DCAB and chosen to decline assistance from DCAB's technical staff in preparation of the recertification application.

In summary, the DCAB believes that Hawaii rate payers are paying too much for too few services, with inadequate input from the community of users and inadequate accounting for public funds collected and used by the **TRS** provider. The DCAB suggests that the FCC authorize a one year extension to the Hawaii PUC and direct them to reapply for certification when they have addressed the issues raised by this Board.

Sincerely,



DEAN M. GEORGIEV
Chairperson

Island phone system for disabled criticized

The founder of a federal program says the system is a failure

By Helen Altonn

The founder of a federally mandated system enabling people with speech disabilities to use the telephone says Hawaii's system is not working right.

Bob Segalman came here to demonstrate and encourage use of the Speech-to-Speech relay system, which he developed because of a cerebral palsy-related speech disability.

But if he had realized how bad the system was in Hawaii, he said: "I wouldn't have come here. I would have advocated that they **fix** it before I come."

Segalman, who talks in a whisper because **of** his impairment, and this reporter used the relay system for an interview this week.

After an operator functioning as translator repeatedly said, "Please repeat," he broke off the connection and used a communication assistant with him to finish the talk.

The Speech-to-Speech service was mandated by the Federal Communications Commission in 1991 and is available in all states **24** hours a day, seven days a week.

It enables people with cerebral palsy, multiple sclerosis, muscular dystrophy, Parkinson's disease, stroke, a brain injury or other problems hampering speech to make phone calls like anyone else to fill a prescription, order a pizza or talk to a friend.

It is estimated that about 11,000 islanders could benefit from the system, but "our understanding, based on discussions, no official report, is that usage has been near zero," said Barbara



Bob Segalman gave a demonstration recently of the Speech-to-Speech service, which enables people with speech disabilities to make an independent phone call. With him were revoicer Eda Wilson, center, and Barbara Fischlowitz-Leong, Assistive Technology Resources Centers of Hawaii executive director.

Fischlowitz-Leong, executive director, Assistive Technology Resource Centers of Hawaii.

They can call **711** toll-free and give the operator the number they want, using their own voice, voice prosthesis or communication device. Specially trained operators act as translators, repeating the words of the speech-disabled caller.

"The (main) problem in Hawaii is that Verizon insists on contracting with AT&T, and AT&T operators are all back in Virginia and they don't understand the Hawaiian dialect," Segalman said, referring to pidgin and ethnic dialects.

The operators are supposed to be trained to understand difficult speech and have good amplifiers so they can hear the caller, Segalman said.

"But the AT&T communications assistants don't have the equipment to amplify my voice, so that doesn't work."

Another problem in Hawaii, Segalman said, is that the operator can take up to five minutes to connect the caller after 711 is dialed. "People just give up."

One person who tried the 711 route and became frustrated is dialing a toll-free 877 number that goes through Washington state, Fischlowitz-Leong said.

"We were circumventing Hawaii because Washington contracted with Sprint services, which are excellent."

Ann Nishida, Verizon Hawaii spokeswoman, said she could not say how many islanders are using the AT&T relay service or what it costs because that is "proprietary information."

"I can say we are disappointed with STS usage in Hawaii thus far, but we hope that through our continued outreach efforts, usage will increase.

"Based on recent customer feedback about the service, we've met with the vendor and are working to resolve any issues," Nishida said.

"Prior to this, Verizon Hawaii had not received detailed customer feedback about STS upon which to follow up."

She said Verizon wants people to get all the benefits possible from the telephone, and if those using STS encounter problems, "we need for them to tell us about it so it can be addressed with the vendor."

Nishida said Verizon Foundation gave the Assistive Technology Resource Center a \$10,000 grant to educate prospective STS users and health care professionals about the system.

Verizon offers free booklets to inform people with hearing and speech disabilities about available telecommunications services. They are at all Verizon PhoneMart stores.

Fischlowitz-Leong said her agency has developed training programs to work with service providers and people who will use STS. It is also trying to document system problems so Verizon can track bad calls, she said.

Verizon customers are assessed 17 cents **per** month in their phone bills for FCC-mandated relay services, including STS and services for the deaf and hard of hearing, as well as equipment, staff, materials and training. Some people with speech disabilities use a TTY, or text telephone, to make calls. It is a teletype-like device used by the deaf and hard of hearing, as well as hearing people who want to talk with another TTY user.

STS is an option for people who do not have the ability to type or to type as fast as they wish. Segalman said it would be much better for Hawaii to train local communications assistants, as the Assistive Technology Resource Center recommended.

Nishida said Verizon wanted to train local people to handle the calls but did not have enough time before the system was required to start in March of last year.

"The problem is, the local people would like to fix it, but the people in the corporate office back in Texas don't want to spend the money," Segalman said.

If it is decided to use local operators, he said, "I will be glad to come back and train them the way I've done in other places without a fee. ... I've been working on this for 10 years. I just want people like me to be able to use the telephone.